

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	ART UNIT
MVIS 97-05 C4	CLASS	SUBCLASS	Thanh X. Luu	2878

Address to:

Mail Stop Patent Application
Director for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b), of pending prior Application Number 10/057,076, filed on January 23, 2002, entitled "LOW LIGHT VIEWER WITH IMAGE SIMULATION, which is a continuation of application number 09/760,166, filed on January 12, 2001 and now abandoned, which is a continuation of application number 09/129,619, filed on August 5, 1998 and now also abandoned."

1. Enclosed is a copy of the latest inventor-signed prior application, including a copy of the oath or declaration showing the original signature or an indication it was signed. I hereby verify that the papers are a true copy of the latest signed prior application number 09/129,619, now abandoned, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c))	56	-20=	36	x \$18 =	\$ 648
INDEPENDENT CLAIMS (37 CFR 1.16b))	4	-3=	1	x \$86 =	\$ 86
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+\$290 =	\$
BASIC FEE (37 CFR 1.16(a))					\$ 770
Total of above calculations =					\$ 1504
Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).					\$ -752
TOTAL =					\$ 752

2. ☒ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27
☐ is enclosed.
☒ was filed in prior application number and such status is still proper and desired (37 CFR 1.28(a)).
3. ☒ The Director is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 500284. A duplicate copy of this sheet is enclosed.
4. ☒ A check in the amount of \$752.00 is enclosed.
5. ☒ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
6. ☒ The inventor(s) of the invention being claimed in this application is(are): Nenad Nestorovic, Clarence T. Tegreene, and Stephen R. Willey
7. ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.60(b), the Director is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

8. ☒ Amend the specification by inserting before the first line the sentence: "This application is a ☒ continuation ☐ division of application number 10/057,076, filed January 23, 2002, which is a continuation of application number 09/760,166, filed on January 12, 2001 and now abandoned, which is a continuation of application number 09/129,619, filed on August 5, 1998 and now also abandoned."

9. ☒ Formal drawings are enclosed (8 sheets, Figures 1-12).

10. ☐ Priority of foreign application number _____, filed on _____ in _____ is claimed under 35 U.S.C. 119(a)-(d).
☐ The certified copy has been filed in prior application number _____, filed _____.

11. ☒ A preliminary amendment is enclosed.

12. ☒ The prior application is assigned of record to Microvision, Inc., 19910 North Creek Parkway, PO Box 3008, Bothell, WA 98011.

13. ☐ ☒ Also enclosed:

Postcard

Certificate of Express Mail

Copy of Original Specification, Claims, Abstract (32 pages), and drawings (12 sheets, Figs. 1-12)

Copy of Assignment Recordation Sheet and Assignment

Copy of Declaration/Power of Attorney

IDS and PTO Form 1449 substitute

Copies of cited foreign patent documents

14. ☒ The power of attorney in the prior application is to: Clarence T. Tegreene, Reg. No. 37,951.

a. ☒ The power of attorney appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☒ Address all future correspondence to: (May only be completed by applicant, or attorney or agent of record.)

☐ Customer Number
OR

Type Customer Number here



Place Customer Number Bar Code
Label here

☒ Firm or

Individual Name Intellectual Property Counsel

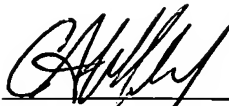
Address Microvision, Inc.

Address PO Box 3008

City Bothell State WA ZIP 98041

Date

1/26/2004


Christopher A. Wiklof, Reg. No. 43,990

☐ Inventor(s)

☐ Assignee of complete interest. Certification under 37 CFR 3.73(b) is enclosed.

☐ Attorney or agent of record

☒ Filed under 37 CFR 1.34(a)

Registration number if acting under 37 CFR 1.34(a). 43,990

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Nenad Nestorovic, Clarence T. Tegreene, and Stephen R. Willey
Filed : January 26, 2004
For : SCANNED BEAM DISPLAY

Docket No. : MVIS 97-05 C4

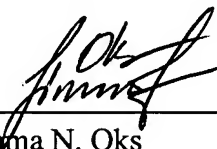
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Sir:

I hereby certify that the enclosures listed below are being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Certificate No. EL 440421532US, on January 26, 2004, addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,
Microvision, Inc.



Rimma N. Oks

CAW:rno

Enclosures:

- Postcard
- Check
- Request for Filing Continuation Application (+copy)
- Copy of Original Specification, Claims, Abstract (32 pages) and
Drawings (12 sheets, Figures 1-12)
- Copy of Formal Drawings (8 sheets, Figures 1-12)
- Copy of Assignment Recordation Cover Sheet and Assignment
- Copy of Declaration/Power of Attorney
- Preliminary Amendment
- IDS and Form 1449 substitute
- Copies of cited foreign patent documents